IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH

AT HYDERABAD

THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No. 775 of 2006

Dated : 10.1.2006

Between:

Smt. N.Vijaya Kumari

.. Petitioner

and

The Joint Collector,

Chittoor, Chittoor district & 2 others.

.. Respondents

ORDER:

Heard learned counsel for the petitioner and the learned Government Pleader

appearing for respondents.

2. The petitioner, a Fair Price Shop dealer of Samalavaripalli village, Piler Mandal, Madanapalle division, Chittoor district, states that the second respondent issued a show cause notice dated 27-01-2005 to her basing on the report of the third respondent dated 20-01-2005 on certain irregularities. The petitioner submitted her explanation to the said show cause notice on 09-02-2005. Without considering the said explanation with reference to the charges made in the show cause notice dated 27-01-2005, the second respondent cancelled the petitioner's authorization by order dated 02-10-2005. Questioning the said order, petitioner filed an appeal before the first respondent along with an application seeking stay of the order dated 02-10-2005. Since the first respondent did not pass any orders on the stay application, the present writ petition is filed.

3. Having heard both the counsel and perused the material on record, I am of the view that since the appeal is pending before the appellate authority-first respondent, without expressing any opinion on the merits of the matter, it is appropriate to direct the first respondent to consider and dispose of the stay application filed by the petitioner within a period of two weeks from the date of receipt of a copy of this order and thereafter, the appeal may also be considered and disposed of after giving reasonable opportunity to the petitioner.

4. With the above directions, the writ petition is disposed of. No costs.

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JUSTICE V.ESWARAIAH

Dt.10-01-2006

DA/GLV

THE HON'BLE SRI JUSTICE V.ESWARAIAH

Dt.10-01-2006